

III. REMARKS

The Examiner has stated that the Applicants have not yet filed a certified copy of the priority application. This document was submitted on 1/24/06 and is indicated on P.A.I.R. as having been received on 1/26/06. Please provide further notification should any issues remain regarding the certified copy of the priority application.

The Examiner has noted that the application contains claims 8, 10-12, and 19-20 drawn to a nonelected invention, with the restriction requirement traversed. The Applicants note that each of these claims is currently withdrawn from consideration, and further that no claims have yet been allowed by the Examiner. Each of these withdrawn claims depends from an independent claim that should be allowed by the Examiner, as discussed below. Because each of these withdrawn claims would be subject to rejoinder under MPEP 821.04 when the respective independent claims (drawn to the elected invention) are allowed, the Applicants maintain their status as withdrawn.

The Examiner has objected to the drawings. The Examiner argues that Figs. 3 and 4 should be labeled as prior art because only that which is old is illustrated. Figs. 3 and 4 illustrate a transport box with many details of the transport box shown, most notably along the edges of the box. Many design-specific features are shown in the two figures, and it is not known when this specific design was originally published or disclosed. Because of the factual uncertainty as to whether the entirety of what is illustrated in Figs. 3 and 4 is truly prior art, the Applicants request that this objection be withdrawn.

Claims 1-7, 9, 13-18, and 21-28 have been rejected under 35 U.S.C

112 Second paragraph as being indefinite. In regards to claim 1, the Examiner states that it is unclear what is being referred to by the word "which" on lines 3 and 4. Applicants have amended claim 1 to overcome this rejection. The Examiner states that is unclear what is meant by "is hereby" in the phrase "is hereby characterized". Applicants note that this language is commonly used in claims written for European applications, such as the priority document. There is nothing indefinite about this language. The test for definiteness under 35 U.S.C. §112, second paragraph is whether a person skilled in the art would understand the claim language in light of the specification and drawings. Orthokinetics, Inc. v. Safety Travel Chairs, Inc., 1 USPQ2d 1081 (Fed. Cir. 1986). Applicants submit that it is very clear what is meant by "is hereby", even without reference to the specification or drawings. This rejection should be withdrawn. The Examiner states that the words "by means of which" and "can be connected" is vague and leaves unclear what is positively claimed and what item is referred to. Applicants submit that positive claiming is not a requirement for patentability, and that the only test for definiteness is that stated above. Claim 1 recites an interface of the first functional unit, by means of which the first functional unit can be connected to the reticle manipulating device, the interface having a mechanical and an electrical part forming a detachable mounting and electrical connection of the first functional unit with the housing of the reticle manipulating device. As a person skilled in the art would understand the claim language in light of the specification and drawings, the test is satisfied. Claim 1 is not indefinite, and the rejection should therefore be withdrawn.

In regards to claim 3, the Examiner states that it is unclear what is being referred to by "an input/output station" in line 3.

However, the claim actually recites "the input/output station", which is very clear. Similarly, the Examiner rejects the claim on the basis of the words "each time" and "a basic grid size". This language no longer appears in the claim. Applicants note that claim 3 was previously amended and overcomes the rejection made in the Office Action of 7/26/05. The Examiner appears to have repeated the comments from this previous Office Action without considering the amendments that have already been made to the claim. Claim 3 is not indefinite, and the Applicants again request that the rejection be withdrawn.

In regards to claim 9, the Examiner states that it is unclear how the modules are selectable. However, claim 9 clearly recites that at least one module is selectable for connection to the housing from a number of different interchangeable modules each having a different predetermined characteristic and being capable of connection to the housing. 35 U.S.C. 112, Second paragraph, only requires that a person skilled in the art would understand the claim language in light of the specification and drawings. There is nothing confusing or unclear about the meaning of this language, and one skilled in the art would clearly understand its meaning. Further, lines 7-15, on page 33 of the Specification state that "[a]s can be realized from Fig. 25, the device 201 may be selectively configured as desired with any of the different interchangeable modules 209, 216." This is illustrated in Fig. 25. Thus, one skilled in the art clearly would understand the meaning of the noted language in Claim 9, especially if reading the claim language in light of the specification and drawings. The language in Claim 9 may be broad (it appears that the statement on page 3 of the Action, "[the claim 9 language] is unclear since it is not defined how and in what manner the modules are 'selectable'", that the Examiner considers the

language indefinite because of its breadth). However, breadth of a claim is not to be equated with indefiniteness. In re Miller, 441 F2d 689, 169 USPQ 597 (CCPA 1971). The scope of the meaning and scope of the language in claim 9 is very clear. Claim 9 is definite and the rejection should be withdrawn.

Claim 22 is also definite. The language of claim 22 uses functional terms. Claim 22 recites a processor with programming for performing predictive maintenance, tracking the number of times the reticle has been exposed to light, and characterized in that the programming includes historical models for predicting reticle servicing, cleaning or disposal. Although functional terms are used, the above language defines structural features and is not mere intended use as argued by the Examiner.

Claims 1, 3-7, 9, 13-17, 24-26, and 28 have been rejected under 35 U.S.C. 102 as anticipated by Foulke. The Applicants disagree and request withdrawal of these rejections.

Claim 1 recites a first functional unit designed as an input/output station. Claim 1 further recites an interface of the first functional unit, by means of which the first functional unit can be connected to the reticle manipulating device, the interface having a mechanical and an electrical part forming a detachable mounting and electrical connection of the first functional unit with the housing of the reticle manipulating device. Foulke simply does not all of the features recited in claim 1. In Fig. 1, Foulke discloses a reticle storage and management system 10 with enclosure 12 and pod station 32. The pod station 32 has pod openers 32a-32d connected to the side wall of enclosure 12. The Examiner refers to pod openers 32a-d, pod station 128 and pod stocker 118 in Foulke as being input/output stations. However, nowhere does Foulke show an interface by

means of which any of items 32a-d, 128 or 118 can be connected to the reticle manipulating device. As no such interface is shown, Foulke clearly does not show an interface having a mechanical and an electrical part forming a detachable mounting and electrical connection any of items 32a-d, 128 or 118 with the housing. The bare disclosure of pod openers 32a-d connected to the system enclosure does not mean that any of the pod openers 32a-d have an interface with mechanical and electrical parts forming a detachable mounting and electrical connection of the pods to the system enclosure 12. By way of example, though connected to (i.e. interfaced with) the enclosure 12, the pod station 32, and its pod openers 32a-d may not be mounted to the enclosure 12. Rather, the pod station may be supported (or mounted) to the floor or other structure, and merely positioned in contact with the enclosure. Further, even if the pod station 32 is mounted to the enclosure 12, it may not have an interface with a mechanical part that is both detachable and the mounting of the pod station to the enclosure (for example the pod station or pod openers may be integral to the enclosure). Foulke simply fails to disclose anything about the pod station/pod opener interface, and the failure to disclose cannot be considered as a disclosure of any kind. In the Action, the Examiner points to Figs. 1, 6, 7, 15, and 16 in asserting that an interface forming a detachable mounting and electrical connection is inherent from the bare illustration of a reticle storage and manipulating system with an enclosure 12 having some pod openers connected thereto. This is not correct. To establish inherency, the evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. In re Robertson, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999). The fact that a certain characteristic may be present in the prior art is not sufficient

to establish the inherency of that characteristic (see MPEP 2112). However, as noted above, a detachable mounting at the interface of pod opener and enclosure is not inherent. Moreover, a detachable electrical connection of the pod opening station/pod openers to the housing is also not inherent from what is disclosed in Foulke. Claims 1 and 3-8 are patentable over Foulke and should be allowed.

Claim 3 is patentable over Foulke at least because it depends from patentable claim 1. Claim 3 is also patentable over Foulke because Foulke does not disclose that a height of at least one of several input/output units corresponds substantially to a whole-number multiple of a different height of another one of the several input/output units, as recited in claim 3. Foulke at best discloses units 32a-d that appear to have the same height, but nowhere does Foulke disclose that this height corresponds substantially to a whole-number multiple of a different height of another one of several input/output units. Claim 3 is patentable over Foulke and should be allowed.

Claim 4 is also patentable over Foulke, at least because it depends from patentable claim 1. In addition, Foulke does not show a second functional unit, which is different in its construction from the first functional unit, whereby the first functional unit can be exchanged for the second functional unit, as recited in Claim 4. Claim 4 is therefore patentable over Foulke for this independent reason, and should be allowed.

Claim 9 recites at least one processing module connected to the housing and capable of processing a reticle, wherein the at least one module is removably connectable to the housing, the at least one module having an interface adapted for removably coupling the

module to the housing, and characterized in that the at least one module is selectable for connection to the housing from a number of different interchangeable modules each having a different predetermined characteristic and being capable of connection to the housing. Foulke does not show all of these features. Firstly, Foulke does not show a module, capable of processing a reticle, that is removably connectable to the housing. The Examiner states that Foulke shows interchangeable functional units 32a-d, 18, 14, 16, 70, 28 and 121-124. However, none of these indicated items, such as pod openers 32a-d or robot 18, is disclosed as being removably connectable to the housing. Secondly, Foulke does not show an at least one module that is selectable for connection to the housing from a number of different interchangeable modules each having a different predetermined characteristic and being capable of connection to the housing. Even if, for the purpose of argument, the pod openers 32a-d were removably connectable to the housing and the positions of the stations 32a-d could be interchanged (neither of which features is disclosed in Foulke), Foulke does not disclose the pod stations 32a-d as having different predetermined characteristics. Rather, the stations 32a-d appear to be identical. Thus, Foulke fails to disclose at least one module selectable for connection to the housing from a number of different interchangeable modules each having a different predetermined characteristic and being capable of connection to the housing. The Examiner argues on page 9 of the Action that Foulke teaches selecting a module either by control system, robot or operator. Claim 9 selection for connection to the housing. The selection the Examiner refers to is after connection to the housing and has nothing to do with what is called for in Claim 9. Foulke fails to disclose any selection for connection to the

housing. Claims 9-28 are patentable over Foulke and should be allowed.

Claims 21-25, 27-28 have been rejected under 35 U.S.C. 103 as being obvious in view of Foulke. The Applicant disagrees. Claims 21-28 are dependent on claim 9 and are allowable for the previously noted reasons. Further, claims 10-28 recite additional features that are not disclosed or suggested by the cited prior art. For example, claim 22 recites that the module has a processor with programming for performing predictive maintenance, tracking the number of times the reticle has been exposed to light, and historical models for predicting reticle servicing, cleaning or disposal. These features are simply not disclosed or suggested in Foulke or any other cited prior art.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

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Respectfully submitted,


Janik Marcovici
Reg. No. 42,841

Date

8/21/06

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

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